



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/805,732 | 03/22/2004 | John S. Love | P2009US00 | 9570 |
| 35633 | 7590 | 09/19/2005 | EXAMINER | |
| GATEWAY, INC. 610 GATWAY DRIVE ATTENTION: GAYLE BEKISH, MAIL DROP Y-04 NORTH SIOUX CITY, SD 57049 | | | WRIGHT, INGRID D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2835 | |
| DATE MAILED: 09/19/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|---------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/805,732 | LOVE, JOHN S. |
| | Examiner | Art Unit |
| | Ingrid Wright | 2835 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 3/22/04.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 1-9, 12 and 13 is/are allowed.
 6) Claim(s) 10, 11, 14, 15, 19, 20, 21 is/are rejected.
 7) Claim(s) 16-18 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 22 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/22/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 10,11,14,15,19,20,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon (US 6275376 B1) in view of Mizuta (US 20040203532 A1) and further in view of Taneya et al. (US 20050181846 A1).

With respect to claim 10, Moon teaches (Fig. 1B) a multiaxial hinge assembly (25) that enables rotation about a first axis (21) between a clockwise limit and a counterclockwise limit and rotation about a second axis (23) that is orthogonal to the first, but does not provide an indicator to a user of the rotational direction.

Mizuta teaches (Fig. 2) an indicator means that comprises an actuator means (111a, 111b, 111c, 204a) to provide a signal corresponding to a rotational direction of the hinge assembly (300).

Mizuta does not specifically teach an indicator means to provide an indication to a user of the rotational direction.

Taneya et al. teaches an indicator means (47b) to provide an indication to a user of the rotational direction about a second axis (col. 6, par. 0075).

Since the invention of Mizuta and Taneya et al. are in a related field of endeavor (communication), the actuator means of Mizuta and the indicator means of Taneya et al. would be realized in the invention of Moon.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the indicator means about as taught by Taneya et al. about a first axis and the actuator means of Mizuta in the invention of Moon, in order to provide a warning to the user regarding the limit or rotatable bound of the display.

With respect to claim 11, Mizuta teaches (Fig. 2) a magnet (204a, 204c) rotatable about a first axis between the clockwise and counterclockwise limits and a magnet sensor (111a, 111b, 111c) to provide a signal which may be used to determine whether the magnet (204a, 204c) is positioned substantially proximate the clockwise limit or the counterclockwise limit.

With respect to claim 14, Moon teaches a notebook type portable computer (10) (Fig. 1B) comprising a display portion (40), a main body portion (20) and a multiaxial hinge assembly (25) on which the display portion (40) is mounted to the main body

portion (20) and which enables the display portion (40) to be rotated relative to the main body portion (20) about at least two orthogonal axes (21,23).

Moon does not teach a means to indicate a direction of rotation about a first axis when the display portion is rotated about the first axis substantially to at least one predetermined position.

Mizuta teaches (Fig. 2) a means to indicate (204a, 204c, 111a, 111b, 111c) a direction of rotation about an axis when the display portion is rotated about an axis substantially to at least one predetermined position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the invention as taught by Mizuta in the invention of Moon, in order to provide a warning to the user of the rotatable bounds of the display.

With respect to claim 15, Mizuta teaches a rotational limit.

With respect to claim 19, Mizuta teaches a LED (122) used as a visual alert means (col. 3, par. 0044).

With respect to claim 20, Mizuta teaches a speaker (203) used as an audible alert means (col. 3, par. 0048).

With respect to claim 21, Mizuta teaches a software routine to generate visual or audible indicators. (inherent)

Allowable Subject Matter

2. Claims 1-9,12,13 are allowed.

Claims 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 1-9,12,13 & 16-18 the claim 1 recites: "a surface rotatable about the first axis and comprising a display window; and a display surface underlying the surface rotatable about the first axis, the display surface comprising a first directional indicator indicating a counterclockwise rotational direction and positioned to be revealed in the display window when the multiaxial hinge assembly is rotated substantially to the clockwise limit, and a second directional indicator indicating a clockwise rotational direction and positioned to be revealed in the display window when the multiaxial hinge assembly is rotated substantially to the counterclockwise limit," claim 4 recites: "a display surface substantially centered on and normal to the first axis,

comprising a first rotational directional indicator positioned along a first radius of the first axis at a first radial distance, and a second rotational directional indicator positioned along a second radius of the first axis at substantially the same distance as the first radial distance; and a first display window overlying the display surface dimensioned and adapted to selectively display the first and second directional indicators therethrough; wherein a rotation of the pivot platform to the clockwise limit enables the first directional indicator to be displayed in the first display window and a rotation of the pivot platform to the counterclockwise clockwise limit enables the second directional indicator to be displayed in the first display window," claim 10 recites: "an indicator to provide an indication to user to avoid an incorrect rotation about the first axis and an actuator means to provide a signal corresponding to a rotational direction of the hinge assembly and indicator means operatively coupled to the actuator means to provide an indication to a user of the rotational direction," and claim 12 recites: "a method of providing an indication to a user of a direction of rotation about a first axis of a multiaxial hinge assembly that enables rotation about at least two orthogonal axes," claim 16 recites: "an arrow that is oriented to indicate a direction of rotation away from the rotational limit," and claim 17 recites: "an arrow is revealed in a window positioned on a surface of the multiaxial hinge assembly when the display is rotated about the first axis substantially to the at least one predetermined position," claim 18 recites: "the surface on which the arrow is positioned is stationary with respect to the rotation about the first axis." The aforementioned limitations in combination with all remaining

limitations of claim 1,4 & 12 are believed to render the claims 1-9,12,13,17,18 and all claims dependent therefrom patentable over the art of record.

Conclusion

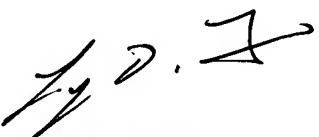
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Chen US 6694570 B2, Hsu 6804861 B2, Lu et al. 6742221 B2, Tanimoto et al. 6850407 B2, Choi 20030193773 A1, Tseng et al. 6587333 B2, Chen et al. 6912122 B2, Pappas 20030052857 A1, Takemoto et al. 20040061999 A1, Nakakubo et al. 6922212 B2, Moon 6275376 B1 & Mishio 20020048459 A1 show the state of the art regarding portable devices with biaxial hinge mechanisms.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571) 272-8392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IDW


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800